

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LAUREL PARK COMMUNITY, LLC, a Washington limited liability company; TUMWATER ESTATES INVESTORS, a California limited partnership; VELKOMMEN MOBILE PARK, LLC, a Washington limited liability company; and MANUFACTURED HOUSING COMMUNITIES OF WASHINGTON, a Washington non-profit corporation,

Plaintiffs.

VS.

CITY OF TUMWATER, a municipal corporation,

Defendant.

NO. Co9-5312 BHS

**DECLARATION OF
JEFFREY S. MYERS**

PURSUANT TO 28 U.S.C. § 1746, Jeffrey S. Myers, hereby declares as follows:

1. I am the attorney for the defendant City of Tumwater in the above entitled matter. I am over the age of 18, competent to be a witness and make this declaration on personal knowledge.

2. Attached to this declaration as **Exhibit A** is a true and correct copy of excerpts from the deposition of James W. Andersen (including Deposition Exhibits 1, 2, 3, and 9) taken January 29, 2010.

3. Attached to this declaration as **Exhibit B** is a true and correct copy of excerpts from the deposition of William Schmicker, taken February 4, 2010.

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4. Attached as **Exhibit C** is a true and correct copy of excerpts from the deposition of Robert Eichler (including Deposition Exhibit 4) taken February 15, 2010.

5. Attached as **Exhibit D** is a true and correct copy of excerpts from the deposition of Jeanne-Marie Wilson, taken February 15, 2010.

6. Attached as **Exhibit E** is a true and correct copy of the Order issued by the Ninth Circuit in *Guggenheim v. City of Goleta*, No. 06-56306, on March 12, 2010.

I declare under penalty of perjury under the laws of the state of Washington and the United States of America that the foregoing is true and correct.

DATED this 17th day of March, 2010, at Tumwater, Washington.

LAW, LYMAN, DANIEL,
KAMERRER & BOGDANOVICH, P.S.

Jeffrey S. Myers, WSBA #16390

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